

# PETTIT'S SLAYER DECLINES TO TALK

## Hubard Will Make No Statement Until Ad- vised by Counsel.

# NARROW ESCAPE FROM LYNNING

## Prompt Action of Officials Pre- vented Summary Action by Mob—Remains of Murdered Man Taken to His Home, and Funeral Will Be Held To-Day.

[Special to The Times-Dispatch.]  
Lynchburg, Va., September 26.—Ben  
Hubard, who yesterday shot and killed  
Dr. J. A. Pettit, at Lovington,  
again refused when even at the jail  
here to-day to make a statement as  
to the cause of the tragedy, though  
he admitted frankly that he did the  
killing. Further than that he could  
not be made to talk. He says he will  
not make a statement until advised  
by his counsel. None of the many  
friends who have been here to see him  
yet.

As to the motive for the shooting,  
it was learned to-day from a relative  
of the murdered man, who is a  
resident of Lynchburg, that Dr. Pettit  
was called in last spring to attend  
Hubard's wife, who was in a delicate  
condition. Hubard had arranged for  
a negro to attend his wife, and did  
not want a physician. Hubard's  
father learned of the woman's pre-  
carious condition, and sent for Dr.  
Pettit, who did not want to attend  
the patient because of her husband's  
objection, but finally was persuaded  
to do so, and it developed that the  
woman would have died but for his  
attention.

In this occurrence Dr. Pettit  
stated that Hubard had threatened  
his life for this, but he did not fear  
him. The physician stated a short  
time ago that he was not afraid of  
Hubard unless he should slip up from  
behind and attack him, and this proved  
to be the case yesterday.

## Will Not Talk.

With unusual adroitness Hubard  
checked every effort to draw him out  
this morning, the effort being di-  
rected to ascertain from his lips what  
was the cause of the bridge he had  
against the man whose life he snuffed  
out yesterday afternoon, but he always  
came back with the reply that "when  
he had counsel his counsel could per-  
haps make a statement so much better  
for him than he could."

That was all he would say.  
To show the skillful manner in  
which the man was able to take care  
of himself, when he was asked if he  
did not have a brother or sister at  
home, he said, "I have a brother and  
sister, but they are in the State insane  
hospital, he said, "I would like to  
know for you to get that information  
from some other member of the fam-  
ily."

And that was all Ben Hubard would  
say, excepting that he did not enjoy  
being confined in one of the small cells  
of the city jail, though at the same  
time he had not found the place so un-  
comfortable.

This morning he was without the  
heavy coat he wore at the time he  
was locked up last night, and the  
blood which spattered on his shirt  
was firing the last shots into the  
head of the victim had been removed.

## Narrowly Escaped Lynching.

A resident of Lynchburg, who was  
an eyewitness to the shooting, stated  
to-day that it was only the prompt  
action of the officials of Lynchburg,  
who were quickly on the scene after the  
shooting, that prevented a lynching.

The one condition that prevented the  
immediate forming of a mob was that  
the man who did the shooting was  
handed away to jail before the crowd  
could learn the particulars of the  
shooting. By the time the details were  
learned by the people twenty men had  
been sworn in as special deputies, and  
these were placed at the jail. This pre-  
vented trouble, but in case a mob had  
formed and attacked the jail it was  
believed that many of the guards  
would not have resisted an effort to  
take Hubard from the jail, because  
their sympathies were against the  
prisoner.

One of the striking incidents of the  
shooting was the quick disappearance  
of people who lived in the vicinity of  
Dr. Pettit. Up to the time of the  
shooting there were many men from  
the Roseland section, but a short time  
after the murder these could not be  
found.

It was feared that these men by a  
prearrangement had returned to their  
homes and were arranging to organize  
a mob to lynch the man last night.  
It was for this reason that steps were  
taken to take Hubard away from the  
Lovington jail.

So quietly was this done that even  
the residents of the village did not  
have the slightest idea of what was  
transpiring, until Hubard was well out  
of the way and on route to Shipman.

Six special deputies were sworn in  
to accompany Deputy Sheriff Estes to  
Shipman, and the deputies in charge  
of the prisoner left the jail by a rear  
door. The party then started, and by  
a detour of more than a mile in the  
opposite direction from Shipman, finally  
reached the road to the station, con-  
siderably more than a mile from the  
court-house.

So quietly was the intention of the authori-  
ties to take Hubard away from Shipman  
by the first train, but they missed  
the local going to Charlottesville on  
account of the slow trip through the  
woods, and because of the roundabout  
route they took to avoid detection.

Finally, therefore, made the trip to  
Lynchburg necessary, and Hubard will  
remain here until the day for his trial,  
which has been set for October 6.

## Funeral Will Be Held To-Day.

[Special to The Times-Dispatch.]  
Lynchburg, Va., September 26.—This  
morning quiet community has not yet  
recovered from the shock and sensa-  
tion of the terrible murder commis-  
sion yesterday, when Dr. James A.  
(Continued on Third Page.)

# IN READINESS TO SAIL

## Italian Navy Can Start at Moment's Notice for Tripoli.

Classo, Switzerland, September 26.—  
The Italian naval squadron, which is  
now at Augusta, near Syracuse, Sicily,  
commanded by Admiral Aubrey, is un-  
der orders to be in readiness to sail  
at a moment's notice for Tripoli. The  
reserves have been called out for ser-  
vice if necessary against Turkey. These  
belligerent measures are causing  
great alarm among the eastern  
powers in the Ottoman empire. They  
fear Mussulman fanaticism which ex-  
poses them to massacre.

About 5,000 Italian residents of  
Turkey already have left their homes,  
either returning to Italy or seeking  
refuge in Malta, Tunis, Egypt, or the  
Balkans. But nearly 30,000 have  
applied to the Italian government for  
the necessary funds for repatriation.

Although the situation is considered  
very grave, the hope is entertained  
that a conflict will be avoided, as  
negotiations are now going on with a  
view to inducing Turkey to agree to  
form of Italian protectorate over  
Tripoli.

In the meantime the mobilization  
of troops has been going on. These  
are being employed by the govern-  
ment to put down the anarchist revo-  
lutionary and Socialist attempts  
at creating disorders, which in  
certain instances have gone so far  
as the removal of railway tracks in  
order to prevent the concentration of  
the soldiers.

# VICE REPORT UNAVAILABLE

## 1,000 Copies, Held at Chicago Post- Office, Belong to J. D. Rockefeller, Jr.

Chicago, Ill., September 26.—The re-  
port of Chicago's vice commission  
made public to-day by the United States  
mail, according to a decision handed  
down by Acting Assistant Attorney  
General P. V. Keyser. The decision  
was received from Washington late  
to-day by Postmaster Campbell. One  
thousand copies of the report, which  
have been held at the post-office for  
several weeks, awaiting a decision  
from the Attorney-General's office, are  
to be returned to the commission, ac-  
cording to Postmaster Campbell.

The 1,000 copies of the report are the  
property of John D. Rockefeller, Jr.,  
according to members of the commis-  
sion. The reports were bought by Mr.  
Rockefeller and ordered mailed to col-  
leges and reform workers in all sec-  
tions of the country as the first step  
in a plan to establish permanent vice  
commissions in all the important popu-  
lation centres of the country.

The anti-vice movement is said to be  
the result of interest aroused when Mr.  
Rockefeller was appointed chairman of  
a grand jury in New York, which in-  
vestigated white slave trafficking there.

# AUDITORS SEEK \$284,000

## Prince Henry de Beaulieu's Legacy Que- stion Before U. S. Supreme Court.

Washington, D. C., September 26.—  
The possession of \$284,000 worth of  
American railroad bonds is involved  
in the decision of the U. S. Supreme  
Court in the case of Prince Henry de  
Beaulieu. The bonds were formerly owned  
by Princess Beatrice Winans de Beaulieu,  
and were bequeathed by her to her  
husband, Prince Henry de Beaulieu,  
of France. The securities were held  
in Beaulieu's name, but the mistaken im-  
pression that they were the property  
of the two children of Prince and Prin-  
cess Beaulieu. The fact having de-  
veloped that they had been bequeathed  
to the prince himself, his creditors seek  
to obtain possession of them.

Their suit has been opposed on the  
ground that as the bonds were not  
transferable in Baltimore the Mary-  
land courts are without power to au-  
thorize their attachment. The Mary-  
land Court of Appeals has held this  
theory to be untenable, and the Su-  
preme Court is asked to decide the  
point.

# BIG STRIKE THREATENED

## 15,000 Cigar-makers in Tampa Probably Will Be Called Out.

Tampa, Fla., September 26.—As a re-  
sult of the decision of the Tampa re-  
venue service to enforce the law requir-  
ing duty on all manufactured cigars,  
the 15,000 cigar-makers in Tampa, who  
elsewhere, Tampa is threatened with  
a disastrous strike of its 15,000  
cigar-makers to-morrow.

The joint advisory board of the five local unions was held  
to-night, but members of the board  
declined to give out any information  
as to the decision reached. From an-  
official sources, it was announced that  
all of these workers will be called out  
to-morrow, pending some agreement  
between the manufacturers and the  
workers. They will be allowed to  
have the usual number of smokers  
or run in the same scale equivalent  
to the amount of the smokers usually  
allowed each man.

A result of the dissatisfaction  
with the new policy, however, is that  
1,000 men left their benches to-  
day.

# FOSS IS RENOMINATED

## First Statewide Primaries Held in Massachusetts.

Roston, Mass., September 26.—As an  
outcome of the first statewide prima-  
ries in Massachusetts, held to-day,  
Governor Eugene N. Foss will head  
the Democratic ticket for the second  
time and Lieutenant-Governor Louis  
A. Frothingham will be his Republican  
opponent in the November elections.  
Both candidates are from this city.

The primaries brought out a fairly  
good vote, although the turnout was  
considerably short of that polled at the  
last State election.

Governor Foss had scarcely any op-  
position, except from William B. His-  
zen, of Springfield, the presidential  
candidate of the Independence League  
a few years ago. Mr. Hiszen's vic-  
e was not heavy.

Lieutenant-Governor Frothingham  
was strongly opposed in the campaign  
by Speaker Joseph Walker and Repre-  
sentative Norman H. White, but  
returns from about one-third of the  
State indicated a safe lead on the part  
of the Lieutenant-Governor.

# MACHINE IS OBSOLETE

## First Army Aeroplane Will Be Placed in National Museum.

Washington, D. C., September 26.—  
The first aeroplane, bought from the  
Wright Brothers in 1909 at a cost  
of \$30,000, arrived in Washington to-  
day to be placed in the National Mu-  
seum as an exhibit. The plane  
came from the Wright factory in Day-  
ton, O., where it was prepared for its  
last duty. Though it was only two  
years old, the machine now is  
Lieutenant Foulis as a passenger,  
made his historic flight from Fort  
Myer to Alexandria, Va., and return  
in this aeroplane. The machine now is  
considered obsolete and probably never  
will fly again.

# PLANS OF TRUSTS TO AVOID SUITS

## Menace of Financial Panic Is Club to Be Used.

# WILL MAKE EFFORT TO CONVINCE TAFT

## "Big Business" Holds He Can- not Be Re-Elected Unless Pro- secutions Are Dropped—Bene- ficiaries of Tariff Endeavor to Head Off Legislation at Coming Session.

Washington, September 26.—Informa-  
tion reaching official sources in Wash-  
ington has raised the question whether  
the great trusts have set on foot a  
campaign designed to discourage the  
national administration from proceed-  
ing with its program of prosecution of  
the trusts.

It is asserted in governmental circles  
that the Department of Justice, with  
the knowledge and consent of Presi-  
dent Taft, had planned a vigorous  
plan of "trust busting." It not only  
contemplated prosecution of several  
corporations, but included efforts to  
send some high trust associates to  
jail.

The great trusts have a way of find-  
ing out what is going on at the Na-  
tional capital, and it was after the  
steel trust and the harvester trust  
learned of the program decided on by  
the administration that proposals were  
made by these trusts to organize an  
as well as comply with the terms of the  
Sherman antitrust law.

## Putting on Pressure.

In the meantime suspicion has been  
aroused that the great trusts have  
set on foot a campaign designed to  
discourage the administration from  
proceeding with its program.

Some of the stories that reach the  
national capital relate that the great  
industrial combinations will precipi-  
tate a panic rather than submit to the  
program the administration had planned  
to carry out.

It is worthy of note that after the  
Attorney-General had been quoted by  
a New York newspaper as saying that  
the United States Steel Corporation  
was maintained in violation of the  
Sherman antitrust law, the stocks of  
the company immediately took a big  
tumble.

Wall Street was near a panic. The  
Attorney-General made haste to say  
that he had not said all that he had  
been quoted as saying. He "back-  
tracked" after the New York news-  
paper had taken him sharply to task for  
talking in a way that would disturb big business.

The inside talk here now is that big  
business will make a powerful effort  
to convince the administration that it  
must not proceed with its antitrust pro-  
gram at this time.

The argument is to be used, so it  
is asserted, that the country is al-  
ready face to face with business de-  
pression, and that for the Taft admini-  
stration to enter on an energetic anti-  
trust campaign at this time would seri-  
ously disturb business. Moreover, such  
a course on the part of the admini-  
stration would, according to big busi-  
ness, make the renomination and re-  
election of Mr. Taft impossible.

# Other Trusts Guessing.

The reorganization of the Standard  
Oil Company and the American Tobacco  
Company is expected to be the result  
of the decision of the U. S. Supreme  
Court has said that these re-  
organizations must be made, and  
has in each instance fixed a time limit.  
The question that is interesting many  
persons in Washington is whether the  
other big trusts that have been under  
investigation for years by the Federal  
government will be compelled to "walk  
the plank."

There is evidence at hand indicating  
that the chief beneficiaries of the tariff  
intend to resort to "you will ruin busi-  
ness" talk in an endeavor to head off  
tariff legislation at the coming session  
of Congress. Intimations have reached  
the national capital that those in-  
dustries that have heretofore been able  
to control tariff legislation have no  
thought of permitting legislation at the  
coming session.

They still have hope of being able  
to convince President Taft that an  
attempt to revise any of the schedules  
on the eve of a presidential campaign,  
and at a time when business is gen-  
erally rather unsteady, would mean in-  
dustrial disaster. It is the same old  
story that has been heard in the dis-  
cussion of the trusts and the revision  
of the tariff.

# Gary May Issue Statement.

New York, September 26.—It was  
stated at the offices of the United  
States Steel Corporation to-day that  
Chairman Ebert H. Gary might make  
a statement within the next twenty-  
four hours bearing upon the attitude  
of the corporation toward the recent  
statements of Attorney-General Wick-  
ham in the matter of prosecuting the  
trusts.

The fact that Judge Gary had the  
issuing of such a statement under con-  
sideration was made known after the  
regular weekly meeting of the cor-  
poration's finance committee this af-  
ternoon, which was attended by J. P.  
Morgan and Francis Lynde Stei-  
nmetz, the corporation's general coun-  
sel. Neither Mr. Morgan nor Mr. Stei-  
nmetz usually attend the meetings of  
the committee, and it was reported that  
they had been specially invited to  
confer with the members of the com-  
mittee on the "Wickham situation."

It was said that strong pressure had  
been brought to bear upon the officers  
for some such statement as being ur-  
gently called for, owing to the un-  
certainty existing among the corpora-  
tion's shareholders, as to the dispo-  
sition of the corporation's stock in the  
recent rumors of a government dis-  
solution suit. Wall Street had the re-  
port early in the day that an an-  
nouncement on the subject would be  
given out at the close of the stock  
market.

(Continued on Third Page.)

# CANVASS RETURNS OF STATE PRIMARIES

## Martin's Majority Is 33,889; Swanson's 38,736

# VOTE MUCH LARGER THAN EXPECTED

## Nearly 100,000 Citizens Went to Polls—One County and One City Not Reported—Analysis of Vote by Congressional District—Big Majori- ties in Ninth.

With the returns from Fluvanna  
county and the city of Clifton Forge  
missing, the State Democratic Com-  
mittee last night canvassed the vote  
for candidates for the United  
States Senate in the primary election  
of September 7. Adding these two  
missing reports from the unofficial re-  
turns sent to The Times-Dispatch, the  
following is ascertained to be the cor-  
rect vote:

Thomas B. Martin, 55,317.  
William A. Jones, 31,428.  
Claude A. Swanson, 37,493.  
Martin's majority, 17,889.

Swanson's majority over Jones for  
short term, 38,736.

There is no surprise in connection  
with these figures, as the result within  
a thousand or so was indicated on the  
morning after the primary by The  
Times-Dispatch, based on the reports  
received from its correspondents all  
over the State.

## Total Was Large.

The vote considerably exceeds  
that cast in either of the gen-  
eral State primaries which have  
preceded it—those of 1905 and 1909.

In the Martin-Jones contest the  
total vote on September 7 was 86,745,  
with the Jones-Glass fight it  
was 96,250. Counting votes thrown out  
because of improper marking, and  
counting also those who voted for local  
officers and did not trouble the sena-  
torial part of the ticket, it is prob-  
able that close to 100,000 citizens went  
to the polls on the primary day.

Senator Martin carried thirty-two  
counties and all of the twenty cities.  
Mr. Jones carried eighteen counties,  
twelve of which are in his own dis-  
trict—the First. In his district he lost  
only four counties, but failed to carry  
the cities of Mr. Jones, and  
Hampton and Newport News.

In the other contest, Senator Swanson  
carried eighty-nine counties and  
nineteen cities. Mr. Glass secured  
eleven counties and his home city of  
Lynchburg. Of the eleven counties  
carried by Mr. Glass, eight are in the  
First District, those of Mr. Jones, and  
two Bedford and Campbell—are  
Mr. Glass's own district—the Sixth.  
The remaining county carried by Mr.  
Glass, not in his own nor Mr. Jones's  
district, is Hanover.

## Result by Districts.

Taking the vote by congressional  
districts, it is noted that Mr. Jones  
secured a majority of 2,040 over Sena-  
tor Martin in the First District, where he  
resides. The vote there was: Jones,  
7,742; Martin, 5,700; Glass, 6,324; Swanson,  
6,720. The majority given Sena-  
tor Jones in the First District was  
396, the smallest secured by him. He  
carried all of the ten districts.

In the Fifth District, that of Sena-  
tor Swanson, the vote stood: Jones,  
1,301; Martin, 5,881; Glass, 1,135; Swanson,  
6,135. Martin's majority, 4,580;  
Swanson's, 4,984.

In the following vote: Jones, 4,927; Mar-  
tin, 6,968; Glass, 4,533; Swanson, 6,  
478. Martin's majority, 2,041; Swanson's,  
1,945.

In the Seventh District, that of Sena-  
tor Martin, the vote stood: Jones, 1,602; Mar-  
tin, 6,488; Glass, 1,593; Swanson, 6,  
471. Martin's majority, 4,886; Swanson's,  
4,872.

But it was in the Ninth District  
where the biggest majorities were  
rolled up. Senator Martin securing  
there a majority of 7,452, and Senator  
Swanson one of 8,101. The vote was:  
Jones, 852; Martin, 8,334; Glass, 577;  
Swanson, 8,678.

## Vote Soon Ascertained.

Adding machines provided by J. N.  
Brennan, secretary of the State  
Democratic Committee, were brought  
into use last night, and with the aid  
of expert operators, the vote was soon  
counted.

The absence of the returns from  
Fluvanna and Clifton Forge has not  
been explained, but from the un-  
official report in the table which fol-  
lows, the total is not greatly added to  
by this county and city.

Radford sent in its report by prac-  
tically the same time in that city.  
Reports were sent in separately from  
the new city of Suffolk, and the coun-  
ty of Giles.

(Continued on Second Page.)

# NAVY YARD IS CLOSED

## Department Is Unmoved by Adverse Agitation in South.

Washington, September 26.—Unmov-  
ed by the adverse agitation in the  
South, the Navy Department is stand-  
ing firm in its policy of closing the  
Naval Yard at Norfolk, Va., to the  
public. The department has received  
many requests from the public to  
allow them to visit the yard, but it  
has refused to do so.

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# FACTIONAL FIGHT TO BE CONTINUED

## Will Be Renewed When President Leaves Kansas

# JUNIOR SENATOR SERVES NOTICE

## Political Incident Flares Up at Non-Partisan Celebration, Where Taft Is Chief Guest, and Bristow Takes Up Sec- retary Fisher's Challenge. Gov. Mann Present.

Hutchinson, Kan., September 26.—  
Near the close of what had been a non-  
partisan celebration of the fiftieth an-  
niversary of the birth of Kansas as a  
State, with President Taft as the prin-  
cipal speaker, a political incident  
flared up here to-day, and gave a thrill  
to the thousands of Kansans who  
packed the grandstand at the State  
Fair Grounds.

Walter L. Fisher, Secretary of the  
Interior in President Taft's Cabinet,  
just back from Alaska, made a three-  
minute speech, in which he said some  
things about the difference between  
"real progressives and the middle-of-  
the-road type like Mr. Taft" and "hy-  
po-critical, demagogic progressives who  
possessed every practical progressive  
policy put forth."

Senator Joseph L. Bristow, ranking  
second only to Senator La Follette, of  
Wisconsin, among the Progressives of  
the Senate, followed Secretary Fisher,  
and quickly caught up his challenge.

"We in Kansas," he said, "are always  
willing to grant that the other fellow  
is honest in his views, and we expect  
him to grant that we are honest in  
ours. I want to say to President Taft  
and Secretary Fisher right now, that  
in working out the problems that con-  
front us, we Kansans will have our  
part and have our say to the end that  
there shall be equal justice to all and  
special privilege to none."

## Both Speakers Applauded.

Both Secretary Fisher and Senator  
Bristow were applauded. The crowd  
seemed to appreciate the verbal spar  
sage at arms, and the virtual serving  
of notice by the junior Kansas Sena-  
tor that while he was participating freely  
and gladly in the welcome to the  
President in this State, there was to  
be no let-up in his fight against the  
borders of the Commonwealth.

The President himself had made ab-  
solutely no reference to politics. His  
address was purely historical, and in  
it he had taken occasion to pay a tribu-  
te to the independence in thought  
and action of the Kansas people.

Mr. Taft had been introduced by  
Governor Stubbbs, a progressive among  
the progressives.

Governor Stubbbs, wearing a handker-  
chief, led in the cheering that followed  
Mr. Taft's introduction. When the  
President had concluded, Governor  
Mann, of Virginia, made a brief ad-  
dress. Then came Secretary Fisher.

The address by the secretary fur-  
nished the most interesting feature of  
the day. He arose and faced the big  
crowd. Mr. Fisher was silent for fully  
a minute. Then he said slowly:

"I am one of those that count my-  
self a progressive."

He was interrupted by applause and  
cheering.

## A True Progressive.

"I am a true progressive," he re-  
sumed. "And I believe in true pro-  
gressiveness and not in hypocritical or  
demagogic progressives, who declare  
for a progressive policy and then op-  
pose every practical progressive meas-  
ure put forth. When President Taft  
said he was trying to keep in the mid-  
dle of the road the other day, I be-  
lieve he meant what he said, and I  
believe that you believe he meant what  
he said. I am that kind of progressive.  
My friends, you should judge men not  
by what they say, but by what they do."

Senator Bristow was introduced by  
Governor Stubbbs and was loudly  
cheered.

"We of Kansas," he said, "may at  
times have been accused of acting hy-  
po-critically, but we always have  
had the courage to contend for what  
we believed was right, and we have  
worked out right here in this State  
the greatest moral civilization in the  
world."

The Senator then made his reply to  
Secretary Fisher, and as he did, he  
looked pointedly at the Cabinet officer.  
Senator Curtis, of Kansas, classed as  
conservative, then took advantage of  
the somewhat strained situation to  
pay a tribute to Secretary Fisher.

President Taft spent the entire day  
in Hutchinson, leaving to-night for  
Topeka.

The semi-centennial celebration was  
held at the State Fair Grounds.  
The fair grounds the President  
visited to-day, and he was with them  
in their efforts to get more money for  
their crops. The farmers were guests  
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# ROOSEVELT TO FARMERS

## Declares He Is With Them in Efforts to Get More Money for Crops.

New York, September 26.—Theodore  
Roosevelt told 100 Pennsylvania farm-  
ers to-day that he was with them  
in their efforts to get more money for  
their crops. The farmers were guests  
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# CRUCIFIED BY INDIANS

## Barbarous Depredations Committed in State of Chihuahua.